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BEYER WEAVER & THOMAS LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			NGUYEN, KEVIN M	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/075,520	Applicant(s) KERR, DUNCAN	
	Examiner Kevin M. Nguyen	Art Unit 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-14 and 16-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-38 is/are allowed.
- 6) ☒ Claim(s) 1-5,7-14, 16-31 and 39-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/23/05, 10/27/05</u></p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|---|--|

DETAILED ACTION

Response to Amendment

1. This office action is made in response to applicant's amendment/argument filed on 09/23/2005. Independent claims 1, 20, 32, 34, 39 and 43 are amended, claims 6, 15 and 55 are cancelled, and claims 32-38 are allowed. Thus, claims 1-5, 7-14, 16-31 and 39-54 are currently pending in the application. Applicant's arguments, see pages 13-17, with respect to the rejections of claims 1-5, 7-14, 16-31 and 39-54 under the statutory basis for the previous rejection have been fully considered and are not persuasive. Therefore, the rejection has been maintained. Applicant's amendment with respect to the independent claims 1, 20, 39 and 43 necessitated the new grounds of rejection presented in this Office action.

Terminal Disclaimer

2. The terminal disclaimer filed on 09/23/2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 10/075,520 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Information Disclosure Statement

3. The information disclosure statement (IDS) filed 09/23/2005 and 10/27/2005 which has been placed in the application file, the information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-5, 7-14, 16-19 and 39-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Dowling et al (the IDS cited, US 6,888,322) hereinafter Dowling.

6. As to claim 1, Dowling teaches a computer system, said computer system comprising:

a housing [an enclosure 202, fig. 2] for enclosing various components of the computer system [a computer (200), fig. 2] [the enclosure could enclose for any type of device such as a desktop computer, mouse, keyboard, printer, and speakers, see col. 3, lines 1-10];

a microprocessor disposed inside said housing and configured to control operation of said computer system, said microprocessor producing or receiving monitored events while controlling operation of said computer system [the circuitry or microprocessor may include a controller 302 to provide one or more control signals 304 based at least in part on one or more input signals 306A, 306B, 306C, and 306D from the enclosed device or more other devices, see col. 3, lines 55-58];

a data storage device disposed inside said housing [the enclosure could enclose for any type of device such as a disk drive, see col. 3, lines 1-5. The generator may be a processor that selects lighting control signals from an associated memory, see col. 5, lines 39-40];

a light system disposed inside said housing and providing a dynamic light effect based on the monitored events [the LEDs, other lighting systems, are disposed within the enclosure, see col. 3, lines 41-43], said dynamic effect significantly altering the surface appearance of said housing such that a significant portion of said housing itself [light traveling along the surface or through the material will be reflected off of or out of the material by imperfections in the material, see col. 3, lines 25-27] and not said light system provides visual indication of the monitored events [the light system may include two or more LEDs of different colors, wherein at least one of the LEDs is controlled through the control signal in such a way as to change color of the emitted light from the light system, see col. 51-54. These imperfections can be introduced deliberately or through inherent properties of the material. Making patterns of imperfections on or in the material can create surface lighting effects. The imperfections can be applied to the entire surface of the provide a glowing surface, col. 3, lines 27-33].

7. As to claim 10, Dowling teaches a method for illuminating a housing of a general purpose computer system, said method comprising:

providing a housing [an enclosure 202, fig. 2] for enclosing a device of the general purpose computer system [a computer (200), fig. 2] [the enclosure could

enclose for any type of device such as a desktop computer, mouse, keyboard, printer, and speakers, see col. 3, lines 1-10];

monitoring computer system events [the illumination system can be controlled with a microprocessor or with passive circuitry, col. 3, lines 49-50];

emitting light in accordance with the computer system events, the light being directed towards the housing [the light system may include two or more LEDs of different colors, wherein at least one of the LEDs is controlled through the control signal in such a way as to change color of the emitted light from the light system, see col. 51-54] via a light system disposed inside the housing [the LEDs, other lighting systems, are disposed within the enclosure, see col. 3, lines 41-43];

illuminating at least a significant portion of the housing of the general purpose computer system with the emitted light [the system includes an illumination device 204 that is arranged to illuminate the enclosure or some portion thereof, col. 3, lines 46-48], the illumination colorizing or patternizing the surface appearance of the significant portion of the housing [one embodiment of the invention would be use the color changing or lighted enclosure as a computer enclosure or a portion of the computer enclosure, col. 4, lines 4-6] such that the significant portion of the housing itself and not the light system provides visual indication of the monitored system events [These imperfections can be introduced deliberately or through inherent properties of the material. Making patterns of imperfections on or in the material can create surface lighting effects. The imperfections can be applied to the entire surface of the provide a glowing surface, col. 3, lines 27-33].

8. As to claims 2, 13, Dowling teaches these imperfections can be introduced deliberately or through inherent properties of the material. Making patterns of imperfections on or in the material can create surface lighting effects. The imperfections can be applied to the entire surface of the provide a glowing surface, col. 3, lines 27-33.

9. As to claims 3, 11, 12, Dowling teaches the enclosure could enclose for any type of device such as a desktop computer, mouse, keyboard, printer, and speakers, see col. 3, lines 1-10].

10. As to claim 4, Dowling teaches the circuitry or microprocessor may include a controller 302 to provide one or more control signals 304 based at least in part on one or more input signals 306A, 306B, 306C, and 306D from the enclosed device or more other devices, see col. 3, lines 55-58.

11. As to claim 5, Dowling teaches wherein the light elements are Light Emitting Diodes (LEDs) [the light system may include two or more LEDs, col. 5, lines 51-52].

12. As to claims 7-9, 14, Dowling teaches wherein the monitored events comprise computer status conditions, wherein the computer status conditions include at least device status conditions or program status conditions, wherein the monitored events comprise internal computer status conditions or external status conditions [the color changing effects could be controlled through the controlled to correlate or respond to signals generated within the enclosed computer, from a computer network, or other device. The enclosure may also change color on demand through external switching or transducers or could be controlled internal to the computer by user controlled software or hardware, col. 4, lines 6-13].

13. As to claim 16, Dowling teaches wherein the computer system events are chosen from network connectivity [the color changing effects could be controlled through the controlled to correlate or respond to signals generated within the enclosed computer, from a computer network, col. 4, lines 6-9].

14. As to claim 17, Dowling teaches wherein the computer system events comprise the state of microprocessor which are chosen from the group consisting of: on [the circuitry or microprocessor may include a controller 302 to provide one or more control signals 304 based at least in part on one or more input signals 306A, 306B, 306C, and 306D from the enclosed device or more other devices, see col. 3, lines 55-58].

15. As to claim 18, Dowling teaches wherein the computer system events comprise the program status events which are chosen from the group consisting of: new electronic mail, awaiting input [the computer could change colors as the result of computer receiving email or other information, or could change color with regard to system activity, for instance a busy computer could be red while a ready computer are was green, see col. 4, lines 13-17].

16. As to claim 19, Dowling teaches wherein the general purpose computer system is a desktop computer [the enclosure could enclose for any type of device such as a desktop computer, mouse, keyboard, printer, and speakers, see col. 3, lines 1-10].

17. As to claim 39, Dowling teaches a method for controlling light elements provided internal to a housing that encloses computer system hardware, said method comprising

monitoring the computer system components to obtain status information [a color changing effects could be controlled through the controller to correlate or respond to signals generated within the enclosed computer, col. 4, lines 6-9];

determining illumination characteristics for the housing based on the status information and predetermined configuration information [the system could also be programmed with patterns or schemes for regularly changing colors and any of the characteristics of those patterns, col. 4, lines 65-67];

determining driving signals for the internal signals light elements in accordance with the illumination characteristics [the circuitry or microprocessor may include a controller 302 to provide one or more control signals 304 based at least in part on one or more input signals 306A, 306B, 306C, and 306D from the enclosed device or more other devices, see col. 3, lines 55-58];

controlling the internal light elements using the driving signals, the internal light elements illuminating the housing when operational, the illumination significantly altering the surface appearance of the housing such that a significant portion of the housing itself and not internal light elements provides visual indication of the status information of the monitored computer system components [light traveling along the surface or through the material will be reflected off of or out of the material by imperfections in the material, see col. 3, lines 25-27. The light system may include two or more LEDs of different colors, wherein at least one of the LEDs is controlled through the control signal in such a way as to change color of the emitted light from the light system, see col. 51-54. These imperfections can be introduced deliberately or through inherent properties of

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the material. Making patterns of imperfections on or in the material can create surface lighting effects. The imperfections can be applied to the entire surface of the provide a glowing surface, col. 3, lines 27-33].

18. As to claim 40, Dowling teaches wherein each of the light elements comprises a LED [the light system may include two or more LEDs, col. 5, lines 51-52].

19. As to claim 41, Dowling teaches wherein the computer system hardware forms a general purpose computer [any other type of computer such as the computer system, col. 3, lines 3-5].

20. As to claim 42, Dowling teaches wherein the predetermined configuration information is provided by user settings [the light system may be responding to financial data and a user interface may be used to adjust the settings of the illumination, see col. 5, lines 27-29].

21. As to claim 43, Dowling teaches a computer system having computer devices, said computer device including a computer component for performing an operation associated with said computer system, said computer system comprising:

an illuminable housing [the illumination device 204, fig. 2, col. 3, line 47] that encloses said computer component [the enclosure could enclose for any type of device such as a desktop computer, mouse, keyboard, printer, and speakers, see col. 3, lines 1-10];

an event monitor configured to track a computer event associated with said computer system [a color changing effects could be controlled through the controller to

correlate or respond to signals generated within the enclosed computer, col. 4, lines 6-9];

a light effect manager operatively coupled to said event monitor, said light effect manager being configured to generate light control signals when said computer event is executed by said computer system [the circuitry or microprocessor may include a controller 302 to provide one or more control signals 304 based at least in part on one or more input signals 306A, 306B, 306C, and 306D from the enclosed device or more other devices, see fig. 3, col. 3, lines 55-58];

a light arrangement [the illumination device 204, fig. 2] operatively coupled to said light effecter manager and disposed in said housing, said light arrangement being configured to illuminate said illuminable housing in accordance with light control signals associated with said computer event [the LEDs can be arranged to edge light the enclosure such that a portion of the light couples to the enclosure edge and is transmitted through the material and/or portion of the light is transmitted across the surface of the enclosure, col. 3, line 66 through col. 4, lines 22-26];

said illumination significantly altering the surface appearance of said illuminable housing such that a significant portion of said illuminable housing itself and not said light arrangement provides visual indication of the computer event [These imperfections can be introduced deliberately or through inherent properties of the material. Making patterns of imperfections on or in the material can create surface lighting effects. The imperfections can be applied to the entire surface of the provide a glowing surface, col. 3, lines 27-33].

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22. As to claim 44, Dowling teaches wherein said computer component is one of processor or controller [the circuitry or microprocessor may include a controller 302 to provide one or more control signals 304 based at least in part on one or more input signals 306A, 306B, 306C, and 306D from the enclosed device or more other devices, see fig. 3, col. 3, lines 55-58];

23. As to claim 45, Dowling teaches wherein said computer component is one of an operating system, utility program or application program [the controller could be any type of software process, hardware, col. 3, lines 61-62].

24. As to claim 46, Dowling teaches wherein said computer event is one of input data or output data [input signals 102 may be generated by a user interface such as button, switch, keyboard, mouse..., col. 5, lines 20-25].

25. As to claims 47, 48, Dowling teaches wherein said light control signal carries illumination characteristics pertaining to the desired light effect that said light arrangement is to provide to said illuminate housing [the light system may be responding to financial data and a user interface may be used to adjust the settings of the illumination, see col. 5, lines 27-29].

26. As to claims 49, Dowling teaches wherein said computer system further includes a second computer device, the second computer device including a second computer component for performing an operation associated with said computer system, and a second illuminable housing that encloses the second computer [the enclosure could enclose for any type of device such as a desktop computer, mouse, keyboard, printer, and speakers, see col. 3, lines 1-10].

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27. Claims 50-54 shares the same limitations as those of claims 49 and 43 and therefore the rationale for rejection will be the same.

Claim Rejections - 35 USC § 103

28. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

29. Claims 20-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling in view of Nason et al (newly cited, US 6,018,332) hereinafter Nason.

30. As to claim 20, Dowling teaches a method implemented in a computer device for extending the feel of a screen display to a housing that surrounds the screen display, said method comprising:

changing the color of one or more regions of the housing based on the color indicators of one region of the screen display [multiple pieces of information could be provided on different portions of the enclosure as different color. The illumination of the device could be sufficient to actually provide a light source for a room or other area, see col. 5, lines 2-8] in order to extend the feel of the screen display [Coca-Cola could turn a user's enclosure red (or even Coca Cola's specific shade of red) when the user views pages posted by Coca-Cola or when ads for Coca-Cola are presented to the user, see col. 4, lines 27-30. Thus, the ads "Coca-cola" could turn a user's enclosure red, "Coca-cola" is directly displaying on the screen corresponding to the extending the feel of a screen display to the housing] to the housing that surrounds the screen display [a color

for the enclosure based on the surroundings, see col. 4, lines 39-40. The enclosure could turn red and if they go up the enclosure could change to blue. The system could also be used in conjunction with e-business or Internet advertising allowing an individual having a site or advertisement on the Internet to transmit colors they desired the enclosure to be, see col. 4, lines 23-26. Thus, the color for the enclosure based on the surroundings, the e-business or Internet advertising are directly displaying on the screen corresponding to the extending the feel of a screen display to the housing that surrounds the screen display as claimed].

Accordingly, Dowling teaches all of the claimed limitations, except for sampling a plurality of regions of the screen display to acquire color indicators for the plurality of regions.

However, Nason teaches a method of sampling a plurality of regions of the screen display to acquire color indicators for the plurality of regions [a method for creating and accessing a graphical user interface for displaying borders, the method comprising: modifying the graphical user interface in four bar each 20-pixels high/wide outside each of the four display edges: a bottom bar 20, a left side bar 34, a right side bar 36, and a top bar 38, see fig. 3, col. 3, lines 41-44. Nason further teaches it is well-known to specify that the border shall be given any one of six colors, see col. 2, lines 14-15. Thus, the graphical user interface is directly displaying on the screen].

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to change to implement the cooperation of sampling the plurality of border regions of the screen display to acquire color indicators as taught by

Nason with the graphical user interface of Dowling in order to achieve the benefit of allow other companies to offer primary user interface programs to users without the user going through a Microsoft controlled user interface (see Nason, col. 1, lines 24-26) and adding the user interface border beyond the standard screen display area (see Nason, col. 1, lines 58-59).

31. As to claim 21, Dowling teaches a method as recited in claim 20, the housing of the computing device includes a plurality of light elements within the housing of the computing device, and wherein said illuminating operates to drive the light elements to illuminate the plurality of the regions of the housing of the computing device [The method of claim 74, wherein the act a4) includes an act of: indicating representations of multiple pieces of information received by the computer on different portions of the enclosure, claim 75, col. 11].

32. As to claim 22, the combination of Dowling with Nason teaches wherein each of the plurality of regions on the screen display that are sampled correspond to one of the light elements [the system could be used in conjunction with e-business or Internet advertising allowing an individual having a site or advertisement on the Internet to transmit colors they desired the enclosure to be, see Dowling, col. 4, lines 23-27. A display modifies the graphical user interface in four bar each 20-pixels high/wide outside each of the four display edges: a bottom bar 20, a left side bar 34, a right side bar 36, and a top bar 38, see Nason, fig. 3, col. 3, lines 41-44].

33. As to claim 23, the combination of Dowling with Nason teaches a method as recited in claim 21, wherein the plurality of regions on the display screen are associated

with a configuration [A display modifies the graphical user interface in four bar each 20-pixels high/wide outside each of the four display edges: a bottom bar 20, a left side bar 34, a right side bar 36, and a top bar 38, see Nason, fig. 3, col. 3, lines 41-44. Nason further teaches it is well-known to specify that the border shall be given any one of six colors, see col. 2, lines 14-15], and wherein the plurality of the regions of the housing being illuminated are associated with the configuration [multiple pieces of information could be provided on different portions of the enclosure as different color. The illumination of the device could be sufficient to actually provide a light source for a room or other area, see Dowling, col. 5, lines 2-8].

34. As to claim 24, the combination of Dowling with Nason teaches a method as recited in claim 21, wherein the plurality of regions on the screen display are arranged in a first configuration, and wherein the plurality of the regions of the housing of the computing device are substantially arranged in the first configuration [With the former arrangement, the computer could change colors as the result of the computer receiving email or other information, or could change colors with regard to system activity, for instance a busy computer could be red while a ready computer was green. For example, if stock prices fall according to a particular website or websites, the enclosure could turn red and if they go up the enclosure could change to blue. The system could also be used in conjunction with e-business or Internet advertising allowing an individual having a site or advertisement on the Internet to transmit colors they desired the enclosure to be, see Dowling, col. 4, lines 13-26. Nason teaches a display modifies the graphical user interface in four bar each 20-pixels high/wide outside each of the four

display edges: a bottom bar 20, a left side bar 34, a right side bar 36, and a top bar 38, see Nason, fig. 3, col. 3, lines 41-44. Nason further teaches it is well-known to specify that the border shall be given any one of six colors, see col. 2, lines 14-15]. Thus, the email and other information/display borders are directly displaying to change color red and green in conjunction with the enclosure could turn red and blue as claimed.

35. Claim 25 shares the same limitations as those of claim 24 and therefore the rationale for rejection will be the same.

36. Claims 26-28 share the same limitations as those of claims 5 and 13 and therefore the rationale for rejection will be the same.

37. As to claim 29, Dowling teaches a method as recited in claim 28, wherein the housing of the computing device houses at least the screen display at a front portion thereof, and wherein the plurality of regions of the housing being illuminated are provided on a rear portion of the housing of the computing device [The LEDs can also be arranged to back light the enclosure or a surface behind the enclosure. Back lighting can achieve the same effects as edge lighting, or different effects could be achieved if a panel within the enclosure was backlit. The LEDs could be arranged to direct the emitted light at any direction at or near the enclosure to provide illumination of the enclosure. They could also be arranged to project patterns or symbols onto the enclosure. In one embodiment, the LEDs (or other lighting system) are disposed within the enclosure, col. 3, lines 34-43].

38. Claims 30 and 31 shares the same limitations as those of claim 14 and therefore the rationale for rejection will be the same.

Allowable Subject Matter

39. Claims 32-38 are allowed.

40. The following is an examiner's statement of reasons for allowance:

The instant application is directed to a nonobvious improvement over the invention described in Pat. No. 6,888,322 to Dowling et al. and Pat. No. 6,608,996 to Laurikka. The improvement comprises a method of extending the feel of a display screen to a housing that surrounds the display screen, the housing being separated into a plurality of independent illuminable zones, each of the zones having a light element that is disposed inside the housing in the areas of the illuminate zone, said method comprising: illuminating the illuminable zones of the housing based the color indicators of the regions associated therewith, the illumination being provided by light from the light element of the particular illuminable zone, the illumination colorizing the illuminable zone of the housing in conjunction with the color of the associated region of said extending the feel of the said display screen, as recited in claim 32. A method for illuminating a housing of a computing system, the computing system having a screen display, said method comprising: colorizing the illuminable regions of the housing in accordance with the acquired color indicators mapped thereto in order to extend the feel of the screen display to the housing, said colorizing including illuminating the illuminable regions with light from one or more light elements located at each of the illuminable regions of the housing, as recited in claim 34. This patentable distinction is included in all independent claims 32 and 34.

Response to Arguments

41. Applicant's arguments filed 09/23/2005 have been fully considered but they are not persuasive. Applicant argues features in independent claims 1, 20, 39 and 43 that are newly recited. Thus, new grounds of rejection have been used. See the rejections above.

Conclusion

42. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 09/23/2005 and 10/27/2005 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


43. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin M. Nguyen whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 9:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the Patent Application Information Retrieval system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin M. Nguyen
Patent Examiner
Art Unit 2674

KMN
December 2, 2005


PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER